

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Christopher Jones, et al. §  
Serial No.: 10/790,287 § Group Art Unit: 2878 §  
Filed: March 1, 2004 § Examiner: O. Gabor §  
For: Method and Apparatus for § Confirmation No.: 9502 §  
Performing Rapid Isotopic §  
Analysis Via Laser Spectroscopy §

**INFORMATION DISCLOSURE STATEMENT**

Atty. Dkt. No.: 1391-27801  
Date: August 19, 2004

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

08/24/2004 SDIRET01 0000003E 03E763 10770E07  
01 FC:1806 180.00 DA

Sir:

This Information Disclosure Statement, including completed Form PTO-1449, comprises a list of pertinent art of which Applicants are aware.

Consideration of art cited in following related applications and additional information is requested:

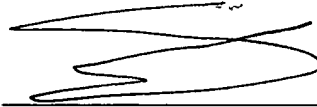
Application No. 10/083,282, filed February 26, 2002, entitled Method And Apparatus For Performing Rapid Isotopic Analysis Via Laser Spectroscopy.

A copy of each publication listed on Form PTO 1449 is enclosed herewith except that pursuant to 37 C.F.R. § 1.98 (d), copies of certain patents, publications, pending U.S. application(s) or other information, as specified in 37 C.F.R. § 1.98 (a), listed in the attached Form PTO-1449 are not provided herewith, as they have been previously submitted to, or cited by, the Office in the above-mentioned earlier U.S. Patent Application(s). The Information Disclosure Statement filed in the earlier application(s) complies with 37 C.F.R. § 1.98 (a)-(c).

The submission of this Information Disclosure Statement and the references submitted therewith is not an admission that the art cited is "prior" with respect to the present invention, nor is it a representation, that no better art exists. Applicants hereby reserve the right to swear behind

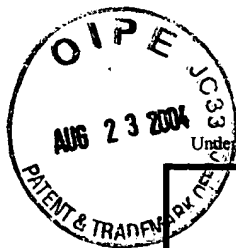
or otherwise disprove any alleged "prior" nature of any art cited should the facts support and the situation warrant such an action. It is submitted that the art cited does not constitute a bar to the patentability of Applicants' invention under 35 U.S.C. § 102 or § 103.

Respectfully submitted,



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ATTORNEY/AGENT FOR APPLICANT



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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/790,287	
	Filing Date	March 1, 2004	
	First Named Inventor	Christopher Jones	
	Art Unit	2878	
	Examiner Name	O. Gabor	
Total Number of Pages in This Submission	4	Attorney Docket Number	1391-27809

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <i>Form PTO-1449 (1 p.); and acknowledgment postcard</i>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Or Individual Name	Tod T. Tumey 47,146
Signature	
Date	August 19, 2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or Printed Name	Sandra K. Begley	
Signature		Date August 19, 2004

131523.01/1391.27809

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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AUG 23 2004

**FEE TRANSMITTAL  
For FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** \$ 180.00**Complete if Known**

Application Number	10/790,287
Filing Date	March 1, 2004
First Named Inventor	Christopher Jones
Examiner Name	O. Gabor
Art Unit	2878
Attorney Docket No.	1391-27809

**METHOD OF PAYMENT (Check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:  
 Deposit Account Number: 03-2769  
 Deposit Account Name: Conley Rose, P.C.

**The Director is authorized to:** (check all that apply)

☒ Charge fee(s) indicated below  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account  
☒ Credit any overpayments

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing Fee	\$
1002 340	2002 170	Design filing fee	\$
1003 530	2003 265	Plant filing fee	\$
1004 770	2004 385	Reissue filing fee	\$
1005 160	2005 80	Provisional filing fee	\$

**SUBTOTAL (1) \$****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
* 20** = *	x	18.00	= \$
Independent Claims	* 3** = *	x	86.00 = \$
Multiple Dependent		290.00	= \$ 00.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent Claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$**

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	\$
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	\$
1053 130	2053 65	Non-English specification	\$
1812 2,520	2520	For filing a request for <i>ex parte</i> reexamination	\$
18042 920*	1804 920*	Requesting publication of SIR prior to Examiner action	\$
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	\$
1251 110	2251 55	Extension for reply within first month	\$
1252 420	2252 210	Extension for reply within second month	\$
1253 950	2253 475	Extension for reply within third month	\$
1254 1,480	2254 740	Extension for reply within fourth month	\$
1255 2,010	2255 1,005	Extension for reply within fifth month	\$
1401 330	2401 165	Notice of Appeal	\$
1402 330	2402 165	Filing a brief in support of an appeal	\$
1403 280	2403 140	Request for oral hearing	\$
1451 1,510	1452 1,510	Petition to institute a public use proceeding	\$
1452 110	2452 55	Petition to revive - unavoidable	\$
1453 1,330	2453 665	Petition to revive - unintentional	\$
1501 1,330	2501 665	Utility issue fee (or reissue)	\$
1502 480	2502 240	Design issue fee	\$
1503 640	2503 320	Plant issue fee	\$
1460 130	1460 130	Petitions to the Commissioner	\$
1807 50	1806 50	Processing fee under 37 CFR 1.17(g)	\$
123 50	123 50	Petitions related to provisional applications	\$
1806 180	1806 180	Submission of Information Disclosure Stmt	\$180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	\$
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	\$
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	\$
1801 770	2801 385	Request for Continued Examination (RCE)	\$
1802 900	1802 900	Request for expedited examination of a design application	\$

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

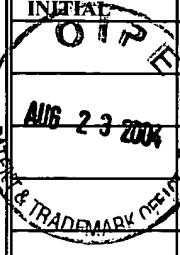
**SUBTOTAL (3) \$180.00****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Tod T. Tumey	Registration No. (Attorney/Agent)	47,146	Telephone	(713) 238-8000
Signature				Date	August 19, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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Form PTO-1449 (Modified)						Atty. Docket No. 1391-27809		Serial No. 10/790,287	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)						Applicant Christopher Jones et al.			
						Filing Date March 1, 2004		Group 2878	
<b>REFERENCE DESIGNATION U.S. PATENT DOCUMENTS</b>									
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE		
	AA*	4951287	08/21/1990	Wyeth et al.	372	32			
	AB*	4990780	02/05/1991	Lee et al.	250	343			
	AC*	5317156	05/31/1994	Cooper et al.	250	345			
	AD*	5640014	06/17/1997	Sauke et al.	250	339.03	05/22/1996		
	AE*	5841533	11/24/1998	Atkinson	356	326	06/13/1997		
	AF*	5864398	01/26/1996	Murnick	365	311	06/06/1995		
	AG*	5929442	07/27/1999	Higashi	250	339.13	03/27/1997		
	AH*	5957858	09/28/1999	Micheels et al.	600	529	12/10/1996		
	AI*	4492862	01/08/1985	Grynberg et al.	250	255			
	AJ*	4517461	05/14/1985	Crandall	250	282			
	AK*	6202470	03/20/2001	Chou	73	24.02	08/31/1999		
	AL*	6483589	11/19/2002	Suzuki et al.	356	437	07/06/2000		
	AM*	2001/0025927	10/04/2001	Ankerhold	250	338.5	02/28/2001		
	AN*	5747809	05/05/1998	Eckstrom	250	345	06/11/1996		
	AO*	4922747	05/08/1990	Wall	73	61.1			
	AP*	5445964	08/29/1995	Lee et al.	463	60	05/11/1994		
AQ*	5543621	08/06/1996	Sauke et al.	250	339.03	05/15/1995			
<b>FOREIGN PATENT DOCUMENTS</b>									
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation YES NO		
	AR*	DE19962589	19.07.2001	Germany					
	AS*	EP0426232A2	04/08/1991	EPO					
	AT*	JP9297061	07/27/1999	JAPAN					
	AU*	JP11094737	07/09/1999	JAPAN					
	AV*	EP1111370	06/27/2001	EPO					
	AW*	EP1111369	06/27/2001	EPO					
	AX*	JP4364442	12/16/1992	JAPAN					
	AY*	JP5340872	12/24/1993	JAPAN					
	AZ*	JP6018411	01/25/1994	JAPAN					
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>									
	BA*	Uehara et al., <i>Isotope Analysis of Environmental Substances by a New Laser-Spectroscopic Method Utilizing Different Pathlengths</i> , Sensors and Actuators B 74 (2001) pp. 173-178							
	BB*	Becker et al., <i>Stable Isotope Analysis Using Tunable Diode Laser Spectroscopy</i> , Applied Optics, April 20, 1992, Vol. 31, No. 12, pp. 1921-1927							
	BC*	European Search Report for European Application No. EP 03 25 5126, dated June 4, 2003 (3 p.)							
EXAMINER				DATE CONSIDERED					
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.									

\* PREVIOUSLY CITED IN PARENT CASE